IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.906 OF 2005

Atul Dilip Thakur — Petitioner

vs.

State of Maharashtra & anr. — Respondents

Mr.R.K.Mendadkar for the petitioner.

Mr.C.R.Sonawane,A.G.P. for respondents.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 17th March 2005

P.C.

Heard.

2. Rule. Returnable forthwith. Mr.C.R.Sonawane,A.G.P. waives service for respondents.

3. By consent of the learned counsel, rule is finally heard at this stage.

4. Mr.C.R.Sonawane, the learned A.G.P. does not dispute the legal position that the certificate of validity of the caste claim under the Scheduled Tribe (Regulation of Issuance and Verification of) Certificate Rules, 2003 is required to be issued in form "G". However, he submits that the certificate issued to the petitioner by the Scheduled Tribe Certificate Scrutiny

Committee, was not in prescribed form "G" because of pendency of Writ Petition No.3153/1996-Sunil Murlidhar Thakur & Anr. vs. State of Maharashtra & ors.

5. Mr.R.K.Mendadkar, the learned counsel for the petitioner submits that the said writ petition no.3153/1996-Sunil Murlidhar Thakur & Anr. v. State of Maharashtra & ors. has been decided by this Court on 4th October 2004. If that be so, in our considered view, there should not be any impediment for Scheduled Tribe Certificate Scrutiny Committee in issuing the certificate of validity of petitioner's caste claim in prescribed form "G" as appended to Maharashtra Scheduled Tribe (Regulation of Issuance and Verification of) Certificate Rules, 2003.

6. We, accordingly, dispose of the rule by the following order:

(i) The petitioner shall appear before the Scheduled Tribe Certificate Scrutiny Committee, Nasik Division, Nasik on 4th April 2005.

(ii) The aforesaid Scrutiny Committee shall consider the judgment of this Court in Writ Petition No.3153/1996-Sunil Murlidhar Thakur & Anr. vs. State of

Maharashtra dated 4th October 2004 and may issue fresh certificate in prescribed form "G" as appended to the Maharashtra Scheduled Tribe (Regulation of Issuance and Verification of)Certificate Rules, 2003 within four weeks from the date of the appearance of the petitioner.

No costs.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)